

Kansas Department of Agriculture
Division of Food Safety and Lodging
 1320 Research Park Drive, Manhattan, KS 66502
 (office) 785-564-6767 (fax) 785-564-6779

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Insp Date: 4/23/2015 **Business ID:** 98914FE
Business: KYOTO SUSHI & STEAK

6792 W 135TH ST
 OVERLAND PARK, KS 66223

Inspection: 88000022
Store ID:
Phone: 9132398868
Inspector: KDA88
Reason: 01 Routine
Results: Follow-up

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes:
04/23/15	11:10 AM	04:10 PM	5:00	0:20	5:20	0	
04/23/15	04:10 PM		0:00	0:45	0:45	0	Est. travel to home
Total:			5:00	1:05	6:05	0	

FOOD ESTABLISHMENT PROFILE

Insp. Notification Email Sent Notification To _____ Lic. Insp. No

Priority(P) Violations 6 Priority foundation(Pf) Violations 5

Certified Manager on Staff ☐ Address Verified ☒ Actual Sq. Ft. 0

Certified Manager Present ☐

INSPECTION INFORMATION

Risk factors are improper practices or procedures identified as the most prevalent contributing factors of food-borne illness or injury. Public health interventions are control measures to prevent food-borne illness or injury.

Good Retail Practices are preventative measures to control the addition of pathogens, chemicals and physical objects into foods.

Violations cited in this report must be corrected within the time frames entered below, or as stated in sections 8-405.11 of the food code.

P=Priority Violation, Pf=Priority foundation violation, HACCP=Hazard Analysis-Critical Control Point, BHC=Bare Hand Contact, RTE=Ready to Eat, HSP=Highly Susceptible Population, K.S.A.=Kansas Statutes Annotated, All temperatures are measured in degrees Fahrenheit (°F).

IF YOU HAVE ANY QUESTIONS PLEASE VISIT www.agriculture.ks.gov, EMAIL fsl@kda.ks.gov, OR CALL (785) 564-6767.

COMPLIANCE KEY: Y=in compliance; N=not in compliance; O=not observed; A=not applicable; C=corrected on-site during inspection; R=repeat violation.

FOODBORNE ILLNESS RISK FACTORS AND PUBLIC HEALTH INTERVENTIONS

Demonstration of Knowledge

1. Certification by accredited program, compliance with Code, or correct responses.

Y N O A C R
 p

This item has Notes. See Footnote 1 at end of questionnaire.

Employee Health

2. Management awareness; policy present.
3. Proper use of reporting, restriction and exclusion.

Y N O A C R
 p
 p

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Good Hygienic Practices		Y	N	O	A	C	R
4. Proper eating, tasting, drinking, or tobacco use		p	..	..	..	..	..
5. No discharge from eyes, nose and mouth.		p	..	..	..	..	..
Preventing Contamination by Hands		Y	N	O	A	C	R
6. Hands clean and properly washed.		..	p	..	..	p	..
Fail Notes	2-301.14(E)	<p><i>P - Wash Hands (Soiled Utensils) FOOD EMPLOYEES shall clean their hands and exposed portions of their arms as specified under § 2-301.12 immediately before engaging in FOOD preparation including working with exposed FOOD, clean EQUIPMENT and UTENSILS, and unwrapped SINGLE-SERVICE and SINGLE-USE ARTICLES and after handling soiled EQUIPMENT or UTENSILS</i></p> <p><i>[Employee in dish area was handling soiled dishes and utensils then proceeded to handle clean dishes and utensils without handwashing. COS. Educated. Employee washed hands.]</i></p>					
7. No bare hand contact with RTE foods or approved alternate method properly followed.		..	p	..	..	p	..
Fail Notes	3-301.11(B)	<p><i>P - FOOD EMPLOYEES may not contact exposed, READY-TO-EAT FOOD with their bare hands and shall use suitable UTENSILS such as deli tissue, spatulas, tongs, single-use gloves, or dispensing EQUIPMENT.</i></p> <p><i>[Employee working in the sushi bar had bare hand contact with salmon that is used in RTE form for sushi and also used for cooked dishes. COS. Educated.]</i></p>					
8. Adequate handwashing facilities supplied and accessible.		..	..	..	..	..	..
Approved Source		Y	N	O	A	C	R
9. Food obtained from approved source.		p	..	..	..	..	..
10. Food received at proper temperature.		..	..	p	..	..	..
11. Food in good condition, safe and unadulterated.		..	p	..	..	p	..
Fail Notes	3-101.11	<p><i>P - FOOD shall be safe, UNADULTERATED, and honestly presented.</i></p> <p><i>[Reduced oxygen packaged white tuna and yellowtail thawing in WIC did not have a slit cut in the packaging. Per the PIC the fish had been thawing for less than 24 hours. COS. PIC slit packaging.]</i></p>					
12. Required records available: shellstock tags, parasite destruction.		..	p	..	..	p	..
Fail Notes	3-402.12(C)	<p><i>Pf - Parasite Destruction Records (From the Supplier) - If raw, raw-marinated, partially cooked, or marinated-partially cooked FISH are served or sold in READY-TO-EAT form, and the FISH are raised and fed to be parasite free, a written agreement or statement from the supplier or aquaculturist stipulating that the FISH were raised and fed to be parasite free shall be obtained by the PERSON IN CHARGE and retained in the records of the FOOD ESTABLISHMENT for 90 calendar days beyond the time of service or sale of the FISH.</i></p> <p><i>[No parasite destruction records from the supplier available for the salmon used for RTE sushi were maintained on file. COS. PIC aquired parasite destruction documentation from the supplier and retained.]</i></p>					
Protection from Contamination		Y	N	O	A	C	R
13. Food separated and protected.		..	p	..	..	..	..

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Protection from Contamination

Y N O A C R

Fail Notes 3-302.11(A)(1)(a) *P - FOOD shall be protected from cross contamination by separating raw animal FOODS during storage, preparation, holding, and display from raw READY-TO-EAT FOOD including other raw animal FOOD such as FISH for sushi or MOLLUSCAN SHELLFISH, or other raw READY-TO-EAT FOOD such as fruits and vegetables*
[Raw ground spicy tuna stored above RTE hot mustard sauce and RTE tomatoes. COS. PIC moved to bottom shelf. Raw calamari stored above tempura batter in make table undercounter RIC. COS. PIC moved to bottom shelf.]

14. Food-contact surfaces: cleaned and sanitized.

.. p

Fail Notes 4-601.11(A) *Pf - Food Contact Clean to Sight and Touch - EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be clean to sight and touch.*
[Ice cream/ice shaving machine had dried food residue build up on food contact surface.
A knife, ice cream scoop and juice squeezer stored as clean had visible dried food debris on the food contact surfaces. COS. Moved to dish area for cleaning.
Wire whisk stored as clean had visible dried food residue on the handle. COS. Moved to dish area for cleaning.
Mixing bowl stored as clean on rack had visible dried food residue. Moved to dish area for cleaning.]

15. Proper disposition of returned, previously served, reconditioned and unsafe food.

p

Potentially Hazardous Food Time/Temperature

Y N O A C R

16. Proper cooking time and temperatures.

p

17. Proper reheating procedures for hot holding.

.. .. p

18. Proper cooling time and temperatures.

p

19. Proper hot holding temperatures.

p

20. Proper cold holding temperatures.

.. p p ..

This item has Notes. See Footnote 2 at end of questionnaire.

Fail Notes 3-501.16(A)(2) *P - PHF/TCS Cold Holding - POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained at 5°C (41°F) or less.*
[Ranch dressing prepared on site stored on counter at 64 F. PIC stated it had been on counter for one hour. COS. PIC placed in ice bath for rapid cooling.]

21. Proper date marking and disposition.

p

22. Time as a public health control: procedures and record.

.. p p ..

Fail Notes 3-501.19(B)(2) *Pf - Time as a PHC - 4 hours (marked with time) If time without temperature control is used as the public health control up to a maximum of 4 hours, the FOOD shall be marked or otherwise identified to indicate the time that is 4 hours past the point in time when the FOOD is removed from temperature control.*
[Sushi rice on sushi bar not marked with time. Rice cooked 30 minutes prior. COS. PIC marked time on rice.]

Consumer Advisory

Y N O A C R

23. Consumer advisory provided for raw or undercooked foods.

p

Highly Susceptible Populations

Y N O A C R

24. Pasteurized foods used; prohibited foods not offered.

p

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Chemical		Y	N	O	A	C	R
----------	--	---	---	---	---	---	---

25. Food additives: approved and properly used.	p
---	----	----	---	----	----	----	----

26. Toxic substances properly identified, stored and used.	..	p	p
--	----	---	----	----	---	----	----

<i>Fail Notes</i>	7-102.11	<i>Pf - Common Name (Working Containers) Working containers used for storing POISONOUS OR TOXIC MATERIALS such as cleaners and SANITIZERS taken from bulk supplies shall be clearly and individually identified with the common name of the material. [Spray bottle containing purple liquid not marked with common name. PIC identified as degreaser and marked appropriately.]</i>
-------------------	----------	--

Conformance with Approved Procedures		Y	N	O	A	C	R
--------------------------------------	--	---	---	---	---	---	---

27. Compliance with variance, specialized process and HACCP plan.	p
---	----	----	----	---	----	----	----

GOOD RETAIL PRACTICES

Safe Food and Water		Y	N	O	A	C	R
---------------------	--	---	---	---	---	---	---

28. Pasteurized eggs used where required.	p
---	----	----	---	----	----	----	----

29. Water and ice from approved source.	p
---	---	----	----	----	----	----	----

30. Variance obtained for specialized processing methods.	p
---	----	----	----	---	----	----	----

Food Temperature Control		Y	N	O	A	C	R
--------------------------	--	---	---	---	---	---	---

31. Proper cooling methods used; adequate equipment for temperature control.	p
--	---	----	----	----	----	----	----

32. Plant food properly cooked for hot holding.	p
---	---	----	----	----	----	----	----

33. Approved thawing methods used.	p
------------------------------------	---	----	----	----	----	----	----

34. Thermometers provided and accurate.	p
---	---	----	----	----	----	----	----

Food Identification		Y	N	O	A	C	R
---------------------	--	---	---	---	---	---	---

35. Food properly labeled; original container.	..	p
--	----	---	----	----	----	----	----

<i>Fail Notes</i>	3-302.12	<i>Food storage containers (Common Name) Except for containers holding FOOD that can be readily and unmistakably recognized such as dry pasta, working containers holding FOOD or FOOD ingredients that are removed from their original packages for use in the FOOD ESTABLISHMENT, such as cooking oils, flour, herbs, potato flakes, salt, spices, and sugar shall be identified with the common name of the FOOD. [Bulk cornstarch container not labeled with common name. COS. PIC labled. Bulk panko bread crumbs not labeled with commone name. COS. PIC labled. Bulk vinegar not labled with common name. COS. PIC labled.]</i>
-------------------	----------	--

Prevention of Food Contamination		Y	N	O	A	C	R
----------------------------------	--	---	---	---	---	---	---

36. Insects, rodents and animals not present.	p
---	---	----	----	----	----	----	----

37. Contamination prevented during food preparation, storage and display.	p
---	---	----	----	----	----	----	----

38. Personal cleanliness.	p
---------------------------	---	----	----	----	----	----	----

39. Wiping cloths: properly used and stored.	p
--	---	----	----	----	----	----	----

40. Washing fruits and vegetables.	p	..	p
------------------------------------	----	----	---	----	---	----	----

Proper Use of Utensils		Y	N	O	A	C	R
------------------------	--	---	---	---	---	---	---

41. In-use utensils: properly stored.	..	p
---------------------------------------	----	---	----	----	----	----	----

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Proper Use of Utensils	Y	N	O	A	C	R
------------------------	---	---	---	---	---	---

Fail Notes | 3-304.12(F) *In-use utensil storage (135°F water) During pauses in FOOD preparation or dispensing, FOOD preparation and dispensing UTENSILS shall be stored in a container of water if the water is maintained at a temperature of at least 57°C (135°F) and the container is cleaned at least every 24 hours or at a frequency necessary to preclude accumulation of soil residues. [In use rice scoops and spoons stored at 112 F. COS. PIC added hot water. 139 F.]*

- | | | | | | | |
|---|---|----|----|----|----|----|
| 42. Utensils, equipment and linens: properly stored, dried and handled. | p | .. | .. | .. | .. | .. |
| 43. Single-use and single-service articles: properly used. | p | .. | .. | .. | .. | .. |
| 44. Gloves used properly. | p | .. | .. | .. | .. | .. |

Utensils, Equipment and Vending	Y	N	O	A	C	R
---------------------------------	---	---	---	---	---	---

45a. Food and non-food contact surfaces cleanable, properly designed, constructed and used- P and Pf items p

45b. Food and non-food contact surfaces cleanable, properly designed, constructed and used- Core items .. p

Fail Notes | 4-202.16 *Nonfood-contact surfaces free of crevices [Container lid on bulk panko bread crumbs was cracked and had crevices.]*

4-501.11(B) *EQUIPMENT components such as doors, seals, hinges, fasteners, and kick plates shall be kept intact, tight, and adjusted in accordance with manufacturer's specifications. [True 3 door RIC door seals are cracked and broken.]*

46. Warewashing facilities: installed, maintained, and used; test strips. .. p

This item has Notes. See Footnote 3 at end of questionnaire.

Fail Notes | 4-302.14 *Pf - A test kit or other device that accurately measures the concentration in mg/L of SANITIZING solutions shall be provided. [No chlorine test strips were available for the dish machine.]*

47. Non-food contact surfaces clean. .. p

Physical Facilities	Y	N	O	A	C	R
---------------------	---	---	---	---	---	---

48. Hot and cold water available; adequate pressure. p

49. Plumbing installed; proper backflow devices. .. p

Fail Notes | 5-203.15 *P - If not provided with an air gap as specified under § 5-202.13, a dual check valve with an intermediate vent preceded by a screen of not less than 100 mesh to 25.4 mm (100 mesh to 1 inch) shall be installed upstream from a carbonating device and downstream from any copper in the water supply line. [One of the two soda fountain carbonators does not have vented dual check valve backflow prevention.]*

50. Sewage and waste water properly disposed. p

51. Toilet facilities: properly constructed, supplied and cleaned. p

52. Garbage and refuse properly disposed; facilities maintained. p

53. Physical facilities installed, maintained and clean. .. p

Fail Notes | 6-501.12(A) *PHYSICAL FACILITIES shall be cleaned as often as necessary to keep them clean. [Dirt and food debris build up under equipment and storage shelves in kitchen area.]*

54. Adequate ventilation and lighting; designated areas used. .. p

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Physical Facilities

Y N O A C R

Fail Notes | 6-303.11(A) *Light intensity (108 lux) The light intensity shall be at least 108 lux (10 foot candles) at a distance of 75 cm (30 inches) above the floor, in walk-in refrigeration units and dry FOOD storage areas and in other areas and rooms during periods of cleaning. [Light in WIF is not working.]*

Administrative/Other

Y N O A C R

55. Other violations

p

EDUCATIONAL MATERIALS

The following educational materials were provided p

KANSAS FOOD ESTABLISHMENT INSPECTION REPORT

Footnote 1

Notes:

Accompanied by KDA #63.

Footnote 2

Notes:

Sushi bar display RIC #1:

Ambient- 34.1 F

Tuna- 35 F

Sushi bar display RIC #2:

Ambient- 35.4 F

Tuna- 36.3 F

Sushi bar display RIC #3:

Ambient- 38.3 F

Tuna- 39.1 F

Sushi bar Undercounter RIC #1:

Ambient- 41.3 F

Sushi bar Undercounter RIC #2:

Ambient- 37.1 F

3 Door RIC:

Ambient- 36.1 F

Make table:

Ambient- 38.2

Kalamari- 38.6 F

2 Door RIC:

Ambient- 37.1 F

WIC:

Ambient- 33.4 F

Bean sprouts- 38.1 F

Footnote 3

Notes:

Dish machine concentration 100 PPM Cl.

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

Insp Date: 4/23/2015 **Business ID:** 98914FE
Business: KYOTO SUSHI & STEAK

6792 W 135TH ST
OVERLAND PARK, KS 66223

Inspection: 88000022
Store ID:
Phone: 9132398868
Inspector: KDA88
Reason: 01 Routine

Time In / Time Out

Date	In	Out	Insp	Travel	Total	Mileage	Notes;
04/23/15	11:10 AM	04:10 PM	5:00	0:20	5:20	0	
04/23/15	04:10 PM		0:00	0:45	0:45	0	Est. travel to home
Total:			5:00	1:05	6:05	0	

NOTICE OF NON COMPLIANCE WITH KANSAS LAW

The Kansas Food, Drug and Cosmetic Act, effective July 1, 2012 includes K.S.A. 65-619 et seq. and regulations promulgated pursuant thereto and grants the Kansas Department of Agriculture the authority to regulate food establishments and food processing plants.

The Kansas Food, Drug and Cosmetic Act requires that all violations shall be corrected no later than 10 days after this inspection unless otherwise directed on this form.

Failure to comply with the food safety law and its regulations may result in embargo of non-compliant products; immediate closure of your establishment; civil penalties of up to \$1,000.00 per violation; denial of license renewal, modification, suspension and/or revocation of any license or authority issued pursuant to the food safety law; and/or any other penalty authorized by law. Pursuant to K.S.A. 65-619 et seq, licensees issued authority under the Kansas Food, Drug and Cosmetic Act may apply to the secretary for an extension of the time prescribed above.

PLEASE CALL (785) 296-5600 IF YOU HAVE ANY QUESTIONS.

Follow up Scheduled 05/03/15

Inspection Report Number 88000022

Inspection Report Date 04/23/15

Establishment Name KYOTO SUSHI & STEAK

Physical Address 6792 W 135TH ST City OVERLAND PARK

Zip 66223

Additional Notes
and Instructions

--